

**CITY OF INGLESIDE
AGENDA
REGULAR CITY COUNCIL MEETING
APRIL 11, 2017**

1. Call meeting to order

The meeting was called to order at 6:30 p.m. with Mayor Luis Lamas presiding. Council Members present: Mayor Luis Lamas and Council Members Ben Tucker, Oscar Adame, Dennis Knippa, Steve Diehl, and John Schack. Council Members absent: Council Member Bill Underbrink. Staff present: City Manager Melissa Byrne Vossmer, Finance Director Paul Baen, and City Secretary Kimberly Sampson. There were approximately 20 guests.

2. Roll Call

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

There were no comments from the public.

Presentations:

6. Presentation of Telecommunications Week Recognition and Proclamation.

Mayor Lamas presented a Proclamation to Police Chief Stan Bynum for the Telecommunications Week of April 9-15, 2017.

7. Report from former Mayor Pete Perkins regarding his recent legislative discussions as part of the Legislative Committee.

Former Mayor Pete Perkins, and member of the City's Legislative Committee, provided handouts and gave an overview of the recent trip he and Mayor Lamas had to Austin to meet with legislative committee and various members regarding SB2 changing the rollback rate and other restrictions concerning the tax rate. There was discussion of a possible trip to Washington DC in order to enhance the awareness of the City's issues with our federal representatives.

Public Hearings:

Due to the representative from American Tower LP traveling and weather delays, Agenda Item # 8 was moved down until he is present (following item # 17).

9. A Public Hearing concerning an application to rezone LTS 9 and BIK 25 RJ Williams Subdivision (Fronting Main Street) from its present classification of C-1 (Local Commercial) to C-2 (General Commercial).

Mayor Lamas opened the Public Hearing at 6:50 p.m.

Speaking in favor of the rezoning application was Parnell Haynes who stated he is wanting to build an electrical construction shop/office. This would be a metal building.

There were no speakers against this rezone.

Mayor Lamas closed the Public Hearing at 6:51 p.m.

Action Items:

Due to the representative from American Tower LP traveling and weather delays, Agenda Item # 10 was moved down until he is present (following item # 17).

- 11. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of C-1 (Local Commercial) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: LTS 9 & 10 BLK 25 RJ Williams Subdivision (fronting Main Street). (First Reading)**

Council Member Diehl questioned if this was within the Future Land Use Plan and Interim Building Official Carey Dietrich agreed that it is.

Council Member Adame made a motion to move to a second reading the Ordinance changing the zoning for the following property from its present zoning of C-1 (Local Commercial) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: LTS 9 & 10 BLK 25 RJ Williams Subdivision (fronting Main Street); and was seconded by Council Member Knippa. The motion was approved unanimously.

- 12. Consideration and action to approve an Ordinance providing for the abandonment, vacation and closure of a roadway easement (SPCORP Doc 589388) located on Cheniere land, and providing for effective date, reading, and severance and publication. (First Reading)**

Finance Director Paul Baen explained there are actually three different easement/right of ways in this area and this easement is not necessary for the City's access to and through the property.

Mayor Lamas made a motion to pass to a second reading the Ordinance providing for the abandonment, vacation and closure of a roadway easement (SPCORP Doc 589388) located on Cheniere land, and providing for effective date, reading, and severance and publication; and was seconded by Council Member Diehl. The motion was approved unanimously.

- 13. Consideration and action to amend the City's designated representatives with the City's depositories setting forth signature and transfer authorizations.**

Council Member Diehl questioned if this action was regarding both check signing and transfers and staff agreed.

Council Member Diehl made a motion to approve Resolution # 2017-10 amending the authorized representatives with the city Depository and all other bank accounts to include the Mayor, Mayor Pro-Tem, City Manager, Finance Director, and City Secretary and Resolution # 2017-11 to memorialize the internal policy for transfers between all banking and investment accounts of the City to include the Mayor, Mayor Pro-Tem, City Manager, Finance Director, and City Secretary; and was seconded by Council Member Knippa. The motion was approved unanimously.

- 14. Discussion, consideration and action on the Proposed General Engineering Services Agreement with Hanson Professional Services Agreement.**

City Manager Melissa Byrne Vossmer stated that Naismith Engineering was changed to Naismith/Hanson and is now just Hanson Professional Services, Inc. This is a new agreement with the new name. The staff has questions on an almost daily basis with regards to building plans, drainage grade, water/wastewater lines, etc. Under the new contract, there will be a task order for general services with a cost not to exceed \$5,000/month for general questions. It does not affect the CIP projects. A task order will be assigned to each project and a specific dollar figure will be assigned within that task order, but we are not limited to this company only. We are already using the task order

system with another engineer. Council Member Schack stated he liked utilizing more than just the one engineering firm.

Council Member Diehl stated he still wanted to look into the in-house engineer and questioned where the budget was regarding engineering fees. Finance Director Paul Baen stated the Utility Fund is at its maximum for the current budget year; however there are still funds within the General Fund. If additional projects are needed, a budget amendment will be brought back to Council.

Mayor Lamas questioned if we are already doing this type of agreement within the other engineering firm, why was this one being brought to Council. Mrs. Vossmer stated she was just trying to make sure the Council is aware of what actions are being taken.

Council Member Schack made a motion to approve the Proposed General Engineering Services Agreement with Hanson Professional Services Agreement; and was seconded by Council Member Knippa. The motion as approved with Mayor Lamas and Council Members Tucker, Adame, Knippa, and Schack voting aye; and Council Member Diehl voting no.

15. Consideration and action to change the contractor name from Homeport Construction to Aguila Construction for the pump house at N.O. Simmons Park.

Parks and Facilities Manager, Mariana Garcia explained there was confusion regarding the name of the construction company because the bid was submitted by Homeport Construction but within the email it did state Aguila Construction. When the documents were prepared for signatures, staff used the name of the bidder instead of the name within the document. No conditions or cost of the project have changed.

Council Member Adame made a motion to change the contractor name from Homeport Construction to Aguila Construction for the pump house at N.O. Simmons Park; and was seconded by Council Member Tucker. The motion was approved unanimously.

16. Approval of Recommendations concerning Tiner Lane and other from the April 5, 2017 Street Committee Meeting.

City Manager Melissa Byrne Vossmer explained that the Street Committee recommends that the prior work conducted by Garrett Construction on Tiner Lane be removed, the base fixed, and the street be repaved, all at the contractor's expense. Council Member Schack stated that the City should just instruct the contractor to fix the issue but not give direction; otherwise it could be construed as a Change Order and cost the city more money.

As a member of the Street Committee, Mr. Stewart Wilson stated that Avenue H looks great and we want Tiner Lane to look the same. As the City considers the drainage and other improvement along Tiner Lane, they can eventually add hot mix to the street but we will need wider ROW's.

Council Member Knippa suggested that the City talk with TxDOT regarding some guardrails they removed from another location and we could get them for free. Council Member Adame stated as long as they meet the minimum safety standards he has no problem with that, but he didn't want to install guardrails that don't meet the minimum standards or the city could be liable for an accident should one occur. There was some discussion regarding the timing of the installation of the guardrails and the fixing of the street work. Staff explained we will still need to get a bid for the guardrails and bring that back to the Council for consideration.

Council Member Schack made a motion authorizing the staff to direct the contractor to fix Tiner Lane with acceptable workmanship and materials and the motion was seconded by Council Member Adame. Council Member Schack amended his motion to make sure the Street Committee is kept involved and was seconded by Council Member Adame. The motion was approved unanimously.

17. Consideration and action regarding the Center Point Energy 2017 Annual GRIP Adjustment for the South Texas Division.

Council Member Schack made a motion to request the 45-day extension of the 2017 Annual GRIP Adjustment by Center Point Energy and was seconded by Council Member Diehl. The motion was approved unanimously.

8. A Public Hearing concerning an application by American Tower L.P., to request a building permit as per section 78-601(D)(3)(B) to remove and replace an existing tower on the property located at PT LTS 14, 15, and 16 BLK 90 McCampbell Subdivision also known as 2320 Avenue B.

Mayor Lamas opened the Public Hearing at 7:44 p.m.

Speaking in favor of the application was Mike Bieniek from American Tower LP who explained this is basically a "drop and swap" where they construct the new structure, move the equipment, and then demolish the old structure.

There were no speakers against this application.

Mayor Lamas closed the Public Hearing at 7:46 p.m.

10. Consideration and action of a request for a building permit as per section 78-601(D)(3)(B) to remove and replace an existing tower on the property located at PT LTS 14, 15, and 16 BLK 90 McCampbell Subdivision also known as 2320 Avenue B.

Council Member Diehl questioned the final footprint change and Mr. Mike Bieniek from American Tower LP agreed the final footprint will only be changed by the new structure being moved ten feet over.

Council Member Schack made a motion to approve the building permit as per section 78-601(D)(3)(B) to remove and replace an existing tower on the property located at PT LTS 14, 15, and 16 BLK 90 McCampbell Subdivision also known as 2320 Avenue B and was seconded by Council Member Diehl. The motion was approved unanimously.

18. Consideration and action to authorize the City Manager to expend up to \$25, 000 out of the Utility Capital Improvement Fund.

City Manager Melissa Byrne Vossmer stated there are sometime needs for day to day business items that are not within the budget and the staff needs the flexibility to come to the City Manager and request funds for these purposes. Finance Director Paul Baen explained in the past these have been unforeseeable capital items and that usually this type of fund is funded at the beginning of each fiscal year and replenished during the year as funds are expended; however the Interim City Manager at the time didn't feel that was necessary, so it has not been established for this FY.

Council Member Diehl agreed in the past this was set at \$10,000 or \$20,000 and was used for times when an urgent equipment or maintenance needs occurred that couldn't wait two weeks until the next Council Meeting or if the staff monitored the on-line auctions for good deals on equipment. This is good use of funds but it does not need to be tied to capital improvements only. It needs to be set up as a line-item the City Manager can access as needed and report to Council thereafter.

Council Member Diehl made a motion to direct the staff to bring a budget amendment to Council to move \$20,000 from Utility Fund Capital Improvements to a City Manager Contingency line item; and was seconded by Council Member Adame. The motion was approved unanimously.

19. Consideration and action to allocate \$30,000 of Council Reserve Funds (10-500-599) for use by the City Manager towards the cost of professional services.

City Manager Melissa Byrne Vossmer explained during her interviews and during the meetings she had with Council once hired there were items mentioned by Council that they would like to accomplish. One of those items has already been scheduled and funds approved, that being the Strategic Planning scheduled for May 20, 2017. Other items are Finance Policies, a true Capital Improvement Plan, certain Human Resource activities, and other items as Council and the City Manager move forward.

Council Member Schack made a motion to allocate \$30,000 of Council Reserve Funds (10-500-599) for use by the City Manager towards the cost of professional services and was seconded by Council Member Knippa. The motion was approved unanimously.

20. Consideration and action of the request by Council Member Bill Underbrink to be excused by City Council from missing three consecutive regular City Council Meeting dated February 28, 2017 and March 14 and 28, 2017.

Council Member Diehl stated Council Member Underbrink has authorized Diehl to speak for him and explained that Council Member Underbrink has been very ill and been in/out of the hospital. He has requested to be excused from the missed meetings due to his illness and hopes to be back very soon.

Council Member Adame made a motion to excuse Council Member Underbrink from missing the three consecutive regular City Council Meeting dated February 28, 2017 and March 14 and 28, 2017; and was seconded by Council Member Diehl. The motion was approved unanimously.

21. Staff Reports

City Secretary Kimberly Sampson requested that any Council Member want to attend the TML Region 11 Meeting scheduled for April 27, 2017 in Goliad to RSVP to staff by April 13, 2017. She also announced the New Election Equipment Hands-On Training is scheduled for Thursday, April 20, 2017 from 11:00 a.m. to 2:00 p.m. at Ingleside City Hall Council Chambers.

City Manager Melissa Byrne Vossmer asked the Council to review the Draft Budget Calendar included in their packet for possible upcoming special meetings.

22. Requests from Council Members

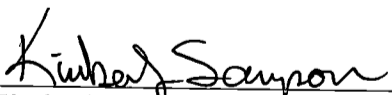
Council Member Adame requested the staff look into the four homes near the Atlanta and Garza alleyway at 6th Street that keep having sewer back up into their residence.

23. Adjourn

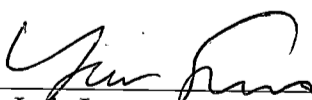
There being no further business, the meeting was adjourned at 8:12 p.m.

ATTEST:

APPROVED:



 Kimberly Sampson, City Secretary



 Mayor Luis Lamas